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*Counsel for Medici888, Inc.*

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division

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MEDICI888, INC.

Plaintiff,

v.

RILEYS LIMITED, et al.

Defendants.

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Civil Action No. 2:12cv317

**MEMORANDUM IN SUPPORT OF  
MOTION TO WITHDRAW AS COUNSEL FOR PLAINTIFF**

LeClairRyan, A Professional Corporation (“**LeClairRyan**”), Bruce H. Matson, and Christian K. Vogel (collectively, “**Counsel for Medici**”) counsel for Plaintiff, Medici888, Inc. (“**Plaintiff**” or “**Medici**”), request authority to withdraw as counsel to Plaintiff pursuant to rule

83.1(G) of the Local Rules for the United States District Court for the Eastern District of Virginia<sup>1</sup>.

## **I. STATEMENT OF FACTS**

Counsel for Medici was retained to pursue damages incurred by Medici as a result of the defendants' failure to fulfill their obligations under certain accepted purchase orders.

On June 6, 2012, Medici filed its complaint (the "**Complaint**") against Hayley, PLC, Hayleys Fibre, Ravi Industries, Limited, and Rileys Limited (collectively, the "**Defendants**") (ECF No. 1). Hayleys, Hayleys Fibre, and Ravi Industries failed to file responses to the Complaint following proper service, and Medici subsequently sought judgment by default with respect to those three defendants. The Court denied Medici's motion.

Following denial of the motion for default judgment, Medici has refused to authorize Counsel for Medici to either further prosecute the Complaint or dismiss the Complaint. Being unable to prosecute or dismiss the Complaint, Counsel for Medici's feels that it must withdraw its representation of Medici.

## **II. ARGUMENT**

Rule 1.16(b) of Part II of Section 6 of the Rules of the Virginia Supreme Court provides that "a lawyer may withdraw from representing a client if withdrawal can be accomplished without material adverse effect on the interests of the client..." Counsel for Medici's withdrawal from its representation of Medici in this case can be accomplished without material adverse effect on Medici's interests. Counsel for Medici is not aware of any deadlines associated with

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<sup>1</sup> U.S. District Court Rule (E.D. VA.) 83.1(I) provides "The ethical standards relating to the practice of law in civil cases in this Court shall be Section II of Part Six of the Rules of the Virginia Supreme Court as it may be amended or superseded from time to time."

the prosecution of this case and no trial date has been scheduled as no answers have been filed.

If Medici wishes to further prosecute this case, it can seek the assistance of new counsel.

Should the Court find that Medici would be prejudiced by Counsel for Medici's withdrawal, sufficient grounds exist for the Court to authorize Counsel for Medici to withdraw its representation of Medici. Specifically, Rule 1.16(b) of the Virginia Professional Guidelines and Rules of Professional Conduct provides that if withdrawal of counsel would adversely affect the interests of its client, counsel may still withdraw "if other good cause for withdrawal exists." Good cause exists for Counsel for Medici to withdraw its representation of Medici as Medici will not authorize Counsel for Medici to further prosecute this action or dismiss this action. As such, Counsel for Medici is unable to effectively represent Medici.

### III. CONCLUSION

For all of the foregoing reasons, LeClairRyan, Bruce H. Matson, and Christian K. Vogel respectfully request that this Court grant its motion to withdraw as counsel for Medici.

MEDICI888, INC.

By: /s/  
Counsel

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*Counsel for Medici888, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 2<sup>nd</sup> day of May, 2014, I will electronically file the foregoing with the Clerk of the Court using the CM/ECF system.

And I hereby certify that this 2<sup>nd</sup> day of May, 2014, I am transmitting a copy of the foregoing by first class mail, to the following non-filing users:

Mr. Greg Twitt  
Medici888 Corporation  
3800 Village Avenue, Suite 888  
Norfolk, Virginia 23502

Hayleys Fibre  
A.M. Pandithage, Chairman and CEO  
25 Foster Lane  
Colombo 10, Sri Lanka

Hayleys, PLC  
A.M. Pandithage, Chairman and CEO  
No. 400, Dean's Road  
Colombo 10, Sri Lanka

Rileys Limited  
Anuruddha Dias, CEO  
25, Foster Lane  
Colombo 10, Sri Lanka

Ravi Industries Limited  
Anuruddha Dias, CEO  
25, Foster Lane  
Colombo 10, Sri Lanka

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/s/  
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